CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Andrew Leck -Expiring CRP to Agricultural Land Classification
Proposed Implementation Date:	Fall 2011
Proponent:	Andrew Leck, 640 Greenhill School Road, Galata, MT 59444
Location:	Lease #5424, S2, Section 33, T33N, R2E
County:	Toole
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

CRP contract #801B containing 316.90 acres expires on 9/30/2011. The lessee, Andrew Leck, has requested to break these expiring CRP acres. The CRP acres were offered for re-enrollment, and were not accepted by the Farm Service Agency, (FSA). The tract was last farmed in 1988. The estimated acres that will be broke and returned to small grain production is 316.90 acres. The remaining 3.10 acres consist of field boarders and a county road. Also, the previous lessee, Eldred Stratton, has applied for the TIP program through the FSA. This program entitles the previous lessee and the Common Schools trust to receive the CRP payment for two more years. The new lessee, Andrew Leck will be able to break the tract and the Common Schools trust will also receive the 25% crop share payment as well. The lessee plans to spray the CRP in the spring of 2012 and then direct seed the proposed break area to winter wheat in the fall of 2012 if the weather conditions are favorable.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

DNRC-Surface Owner
Andrew Leck-Lessee
Gary Olson-MFWP
Montana Salinity Control Association
Montana Audubon Society

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny Andrew Leck permission to break the expiring CRP and return it to small grain production.

Alternative B (the Proposed action) – Grant Andrew Leck permission to break the expiring CRP and return it to small grain production.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

This tract consists of mainly flat topography. The below table outlines the soil types that will be broke.

Slope	Class	T-Factor	WEG	Estimated WW Yield	Acres	Section
0-4%	3E	5	6	38 bu/acre	316.90	33
TOTAL	3E				316.90	33
TOTAL	BREAK				316.90	33

Class 3 soils have severe limitations that restrict the choice of plants and require special conservation practices. The letter "e" shows that there is an erosion hazard unless close-growing plant cover is maintained. The class 3E soils have an expected yield of 38 bu/acre for winter wheat and are susceptible to wind and water erosion. These erosion concerns will be mitigated due to the residue produced not being destroyed by the utilization of no-till farming practices. Clearly, the majority of the soils on this tract meet DNRC's land break requirements.

The last noted practice type was CP-10 which is for already seeded introduced grass, forbs, and legumes. The reason for initial enrollment in CRP is for increased revenue and due to farming difficulties presented by the utilization of mechanical tillage which destroyed the resided produced by small grain production.

Scott Brown, Montana Salinity Control Association commented, "I have reviewed the break request for T33N, R2E, Section 33. This area has very few saline seeps present. The geology and soils here are not conductive to saline seep formation. I looked at 4 different aerial photos of the section and the surrounding area for several miles and found no indication of saline seep issues. MSCA concurs that rotating this field to small grains will not impact the groundwater and or cause a saline seep to occur." (See attached E-mail).

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There are no documented and/or recorded water rights associated with the proposed tract. Other water quality and/or quantity issues will not be impacted by the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No cumulative effects to air quality are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The existing vegetation is introduced species consisting of primarily crested wheatgrass, smooth brome grass, and alfalfa. The tract was last farmed in 1988. The vegetative community will be altered by the reclassification. The conversion of CRP to small grain production will increase the overall productivity of the tract as the current grass stand has very low vigor.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Gary Olson, Wildlife Biologist-FWP, commented, "I have reviewed the Toole County DNRC breaking request #5424 that I received from your office 09/23/2011. As we have discussed previously, any breaking of permanent vegetative cover and conversion to grain will not be positive for wildlife species in general, and specifically problematic for ground nesting birds, raptors, mule deer, and antelope populations. Because of those considerations I would ask that the DNRC not allow the tracts to be broken." see attached letter. These concerns will be somewhat mitigated as the proposed action will remove the permanent vegetative cover, but the residue produced in small grains production will still provide limited cover and food for the area wildlife. FWP did not provide any site specific comments regarding this proposed break.

Converting existing CRP acres to agricultural land will decrease wildlife thermal and hiding cover. This reduction of cover may adversely impact various wildlife species including songbirds, upland game birds, waterfowl, antelope, white tailed deer, and mule deer. Agricultural land may provide a limited food source for wildlife species including deer, antelope, upland game birds and migrating waterfowl. No comments were received from the Montana Audubon Society.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area. Montana FWP did provide site specific comments regarding wildlife, (see item #8). At this time, no known unique, endangered, fragile or limited environmental resources have been identified within the proposed project area. The project is a 316.90 acre CRP tract, which is only a very small portion of the total CRP acres held within Toole County.

A review of Natural Heritage data through the NRIS was conducted. There were zero animal species of concern and one potential species of concern noted on the NRIS survey: Fish-Brook Stickleback. A review of the Sage-Grouse Lek and Lek Area data showed no sage grouse leks in or near the proposed project area in Toole County. This particular tract of CRP does not contain many, if any of these species. If any are present, they may be dispersed into surrounding permanent cover.

With the use of the USDA-NRCS Conservation Plan, minimum cumulative effects are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie, DNRC archaeologist, was contacted and he stated that due to the tract being previously farmed, no historical, archaeological, or paleontological resources would be present.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Since the field is currently in CRP and the surrounding tracts are all either CRP or farmed, reclassification as agricultural land will not affect the aesthetics of the area.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed project.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tract listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

The proposed project will not change human safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The reclassification of this to agricultural land will increase the vegetative productivity of this tract. The estimated WW yield is 38 bu/acre. 38 bu/acre X $4.92/bu X .25%=$46.74/acre divided by 2 for 50/50 crop fallow equals $23.37/acre. The current CRP payment is $35.00/acre but will not be sustained due to the contract expiring. The Common Schools trust would see an estimated return increase of $5.87/ac in breaking the tract as opposed to the previous CRP contract. In addition, the Common Schools trust will receive 25% of the FSA Direct Contract Payment (DCP). Also, since the tract is enrolled in the TIP program, the Common Schools trust will continue to receive their portion of the CRP payment for the next two years.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will not significantly affect long-term employment in the surrounding communities.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will increase the tax revenue due to the increased revenue generated in small grain production.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

There will be no direct or cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

This tract of state land is rural and generally has low recreational value. This tract is legally accessible via the North Devon Road and the proposed action is not expected to impact general recreational and wilderness activities on this state tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed action will not impact the cultural uniqueness or diversity of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The proposed conversion of CRP to agricultural land will greatly improve the productivity on the tract and increase the return to the trust. The current CRP stand has lost its vigor and has very low productivity. The CRP acres were offered for re-enrollment, and were not accepted by the Farm Service Agency, (FSA). Therefore, converting this acreage to small grain production will provide the Common Schools trust with an estimated return of $23.37/acre. This is based on the expected 38 bu/acre yield, the 10 year average selling price of $4.92/bu, and a 50/50 crop/chemical fallow rotation. Breaking the CRP will result in an estimated increase in revenue of $5.97/ac plus the Commons Schools trust will also receive 25% of the DCP payment. Also, since the tract is enrolled in the TIP program, the Common Schools trust will continue to receive their portion of the CRP payment for the next two years. No other unique circumstances exist.

EA Checklist Prepared By:	**Name:**	Tony Nickol	**Date:**	August 16, 2011
	Title:	Land Use Specialist, Conrad Unit, Central Land Office		

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant Andrew Leck permission to break the expired CRP and return it to small grain production.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

This tract of state land is adjacent to productive crop land. Minimal negative impacts are expected with this 316.9 acre land break. The lessees must work with FSA and NRCS and obtain a Conservation Plan and comply with all sod busting regulations. All acres meet current Departmental breaking policy. Soils are suitable for small grain production. Breaking these acres will help meet TLMD objectives by increasing revenue to the school trust. An average of 38 bu/acre winter wheat or near $23.00 per acre annual return is expected for this acreage.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ]	EIS	[ ]	More Detailed EA	[X]	No Further Analysis

EA Checklist Approved By:	**Name:**	Erik Eneboe
	Title:	Conrad Unit Manager, CLO, DNRC
Signature: 	**Date**:	October 11, 2011


29
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Proposed CRP Break Area
S2, Section 33
T33N, R2E
316.90 Acres
North Devon Road
05
04
03

Montana Fish, Wildlife & Parks

09/26/2011

Tony Nickol
DNRC Central Land Office
P.O. Box 961
Conrad, MT 59425

RE: Lease #5424 (S2, Section 33, T 33N, R2E)

Dear Tony,

I have reviewed the Toole County DNRC breaking request #5424 that I received from your office 09/23/2011. As we have discussed previously, any breaking of permanent vegetative cover and conversion to grain will not be positive for wildlife species in general, and specifically problematic for ground nesting birds, raptors, mule deer and antelope populations. Because of those considerations I would ask that DNRC not allow the tracts to be broken.

For future consideration, could you send a location map for these tracts that show general area landmarks, such as towns, highways, etc.? It would save time not having to pull a map out of the map case to figure out where each tract is located.

Thanks for the opportunity to comment.

Sincerely,

Gary R. Olson

Gary Olson
Wildlife Biologist
MT Fish, Wildlife and Parks
514 S. Front. St., Suite C
Conrad, MT 59425
406-271-7033

grolson@3rivers.net

Nickol, Tony

From: Scott Brown [msca_scott@hotmail.com]
Sent: Monday, September 26, 2011 9:52 AM
To: Nickol, Tony
Subject: State Lease 5424 break request

Tony,

I reviewed the break request for T33N, R2E, Section 33. This area has very few saline seeps present. The geology and soils here are not conducive to saline seep formation. I looked at 4 different aerial photos of the section and the surrounding area for several miles and found no indication of saline seep issues.

MSCA concurs that rotating this field to small grains will not impact the groundwater and or cause a saline seep to occur.

Thanks for giving us the opportunity to review the break request.

Scott Brown

Soil Scientist

MSCA